

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 18, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Kelly Bennett	Police Chief
	Mark Baird	Interim Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Lee Naylor	Accountant
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder
EXCUSED:	Stuart Williams	City Attorney

VISITORS: Devin Prouty, Chris Uccardi, Michael Rolow, Ruth Jones

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION ON THE AWARD OF BID FOR THE 1045 SOUTH 1350 WEST STORM WATER IMPROVEMENT PROJECT

Mark Baird, Interim Public Works Director, stated the City solicited bids for the 1045 South 1350 West Storm Water Improvement Project which included the installation of storm drain pipes and inlet boxes at the intersection of 1350 West 1045 South. He noted the project also included the removal of the existing waterways and the installation of ADA accessible ramps at the intersection. Mr. Baird indicated Nezhoni Construction was the lowest responsible bidder with a bid amount of \$97,000. He commented staff recommended the Council award the bid to Nezhoni Construction and approve funding for the bid amount, along with contingency and engineering costs of \$20,000, for a total project cost of \$117,000.

Councilmember Bush pointed out the staff report identified the fiscal impact would be \$95,000 to the fiscal year 2019 (FY19) Storm Water fund. He asked if the remaining funds would come from the FY20 budget. Mr. Baird responded the project itself was under budget and after talking to staff it did not appear there would be any cost savings if the project were rebid; so, any additional funding necessary could come from the FY20 budget.

DISCUSSION ON THE AUTUMN RIDGE PHASE 5 FINAL SUBDIVISION PLAT
LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TINS: 12-019-0103 AND 12-
019-0117)

Brad McIlrath, Senior Planner, stated a request was received to consider approval of the Autumn Ridge Phase 5 Final Subdivision Plat at approximately 875 West 200 North. He stated the project would be the fifth and final phase of the Autumn Ridge single-family development and it was currently zoned R-1-Open which was consistent with the zoning of the other four phases. He pointed out the plat included a storm water detention basin that would be managed by a Home Owners Association (HOA). He explained phase five would have an HOA and those documents had been submitted and were under review; however, he noted phase four had not established an HOA for its management. Mr. McIlrath explained the developer was planning to add an amenity such as a tot lot to the detention basin to incentivize ownership in the HOA for phase five. JJ Allen, City Manager, asked how many lots were in Phase 4. Mr. McIlrath recalled there were about 24 lots. He continued to review the subdivision plat and improvement plans. He pointed out all the utilities were already in place. He said the detention basin would be an improvement to the subdivision which had been neglected over the past few years.

Mr. McIlrath reported the Planning Commission reviewed the plat at its meeting on June 5, 2019 and forwarded a recommendation of approval subject to six conditions outlined in the staff report. He stated a development agreement was required for the area because of its zoning and it would be brought to the City Council at a future date for its review. He indicated the development agreement and the HOA documents once in order would be recorded with the plat. Mr. Allen confirmed the zoning of the property was the reason it required a development agreement. Mr. McIlrath responded yes, the R-1-Open Zone required a development agreement to govern the development and maintenance of the open space.

Councilmember Bush expressed his concerns regarding the depth of the neighboring property to the north and its access which could be limited by the subdivision should it be redeveloped in the future. He asked if there were any known plans for redevelopment of the neighboring property belonging to the Ball family. Mr. McIlrath responded the City had not received any formal requests but had been told by a family relative there was an interest in rezoning the property along 300 North to commercial once the final phase of the subdivision was completed. Mr. McIlrath acknowledged the depth of the parcel could make it difficult to support some types of commercial use due to the limited access, but there were types that would not require store frontage and could be viable for the area.

DISCUSSION ON THE CITY'S MODERATE INCOME HOUSING OBJECTIVES

Spencer Brimley, Community Development Director, mentioned Senate Bill 34 (SB34) was the most recent legislation of the State to help municipalities balance growth issues and housing affordability. He indicated the purpose of the current discussion would be for staff to gather feedback from the Council on the objectives for the City's Moderate Income Housing Plan. He reviewed the Housing Gap Challenge presentation by the Housing Gap Collation.

Mr. Brimley explained there was a deficiency in the number of households versus the number of units available statewide. He mentioned the staff report identified the requirements the City would need to meet to be in compliance with the new legislation. He reviewed what affordable meant as defined by the State concerning housing. Mr. Brimley highlighted the information related to the City's gap analysis discussed previously in the fall of 2018 with the Council. He pointed out Clearfield had both availability and affordability issues. Mr. Brimley stated the gap analysis showed the City with 91 percent of its renters in the extremely low income tier cost burdened and 72 percent of its renters were in the extremely-low income tier severely cost burdened.

He acknowledged the City would need to have a plan in place by December 1, 2019, then continue to report annually on the implementation of the plan, and update it every five years. He stated SB34 was meant to help inform municipalities of the requirements that should be in the plan. He added in conjunction with the plan, the General Plan would need to be updated to connect with the Moderate Income Housing Plan (MIHP) so some revisions would be necessary. He continued the Council had approved budget funds in FY20 to help with the General Plan updates.

Councilmember Peterson wondered if the additional budget amendment for a \$20,000 increase for General Plan updates was due to the mandates of MIHP legislation. Mr. Brimley explained consultants were aware of the requirements of SB34, which might limit the number of vendors willing to get involved with City's General Plan updates. He continued when staff contacted consultants about estimates for the project it became aware the project might cost closer to \$100,000. He indicated staff requested the budget amendment for General Plan updates be increased \$20,000 for a total budget of \$95,000. JJ Allen, City Manager added the budgeted funds were only programmed for the General Plan updates, not the costs associated with the MIHP. Mr. Brimley continued the City's General Plan was smaller than many and would be updated by a consultant; however, the MIHP would be done in-house by staff.

There was a discussion on the requirements to report on the MIHP annually, efforts being made towards a consolidation of the reporting form, and the process and purposes for its review by the State. Mr. Brimley commented many of the details were not yet known about the review process; however, the City would need to have a report submitted prior to December 1, 2019 to avoid impacts to its State transportation funding opportunities.

Mr. Brimley indicated the SB34 summary and list of strategies referred to as "menu items" were included in the agenda packet. He pointed out there was a review meeting planned for July 30, 2019 so the objectives could be reviewed to determine if the key areas for focus had been

addressed properly. There was a discussion about the City's efforts to date to save and preserve areas of the City and focus its efforts towards future development or redevelopment along the corridor.

Mr. Brimley identified the City would need to implement either (G) or (H) of the menu items because it had a fixed guideway public transit station. He expressed his opinion that the City was already doing both of these:

- (G) Encourage higher density or moderate income residential development near major transit investment corridors.
- (H) Eliminate or reduce parking requirements for residential development where a resident was less likely to rely on their own vehicle, e.g. residential development near major transit investment corridors or senior living facilities.

There was a discussion on the City's efforts towards both options and how the data, once reported, would be used by the State whether as a "stick" or "carrot" approach. Councilmember Phipps expressed his opinion the methods for which the reported data would be used should influence the manner in which menu items were selected and implemented. Mr. Brimley indicated he felt the legislation had been designed as a "carrot" approach but there were some "stick" elements.

Mr. Brimley reviewed the menu items and identified the following as items the City was already doing:

- (A) rezone for densities necessary to assure the production of Moderate Income Housing (MIH)
- (E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
- (F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers
- (G) encourage higher density or moderate income residential development near major transit investment corridors
- (L) preserve existing MIH
- (V) utilize a MIH set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency.

There was a discussion about whether additional items should be included that had been missed or which four items should be selected. Councilmember Thompson expressed his concern there had been a hyperbolic approach to the MHIP. He reviewed data from his studies of the City's household sizes, the predominance of females as the head of households, income levels, challenges with home ownership affordability, and opportunities in the City for multi-family living transitioning to home ownership. He felt the City should revisit townhome ownership because it might be a tool that was underutilized as a housing stock option in the City.

Councilmember Thompson expressed his opinion that many of the apartments or multi-family conversations thus far had been dehumanizing and he refused to tolerate it going forward. He mentioned his desire for the MIHP and future discussions of the Council to focus on finding ways to increase upward mobility and economic viability for the City. There was a discussion on the current housing market and wages not keeping up with it, as well as the other influences that

were affecting housing ownership and affordability. Councilmember Thompson expressed his desire to lead out as a City with the MIHP rather than just completing the requirements of the State.

Mayor Shepherd pointed out the City was doing a good job in comparison to other cities with housing types and affordability and would meet many of the State's requirements. Mr. Brimley noted the policy body, through its MIHP, would be involved in the planning efforts important for the City's future. He stated the City was a leader given what it had done whether intentional or otherwise. He suggested the City's MIHP could speak to those things that the City had accomplished as well as identify those priorities for its long term approach to address the issues of housing affordability. There was a discussion on the efforts necessary to create an environment with all the integral parts within the community so it could grow not only in its mobility but also its economic vitality while differentiating it from neighboring cities. Councilmember Thompson voiced his view that it would be important to review the data and incorporate the information into the City's planning efforts in order to create the most impact with the legislated reporting process.

Mr. Brimley asked if there were any of the menu items other than those staff had identified that should be considered for incorporating into the City's MIHP. Councilmember Bush expressed his opinion that item "I" be added to the City's list (allowing for single room occupancy developments) should be added to the list because there were studio apartments in the Pepper Ridge Apartments. Mr. Brimley responded further clarification might be necessary on that item to determine what types of single room occupancy would meet the requirement. There was a discussion about what the best approach would be for the City's MIHP. The consensus of the Council was to choose four of the menu items for the City's Plan that demonstrated the City had made a dramatically clear effort towards addressing its housing issues.

Mr. Brimley reviewed the accountability requirements of SB34 and the impacts on funding with the State Transportation Investment Fund (TIF) or the Transit Transportation Investment Fund (TTIF). He reported staff would be using the following methods to measure or determine the City's needs: Census data; the City's Consolidated Action Plan; the City's Analysis of Impediments; and other resources that tied in to HUD for the CDBG program. Mr. Brimley stated Wasatch Front Regional Council (WFRC) also had a geographic information system (GIS) tool which could be helpful in obtaining projection data such as population and job growth. There was a discussion about the housing appreciation process and difficulty in forecasting it. Mr. Brimley expressed appreciation for the Council's participation and efforts with the discussion.

DISCUSSION ON AMENDMENTS TO THE FISCAL YEAR 2019 (FY19) BUDGET

Lee Naylor, Accountant, distributed an updated list of fiscal year 2019 (FY19) budget amendments proposed by staff. He reviewed the following amendments for the General Fund:

- Customer Service Center retired employee payout - \$20,000
- Police Administration retired employee payout - \$40,000

Councilmember Phipps asked if there was any accounting regularly in place for the unused sick leave of retirees. Mr. Naylor stated sick leave was not a liability for the City unless the employee

retired; however, vacation time was considered a liability and that accounting was regularly in place. He continued his review.

- Fleet Management accounting for health insurance costs a previous employee had not elected to take - \$7,000
- Parks and Open Space changed allocation for an employee from Manager to Superintendent – there was an increase and decrease of \$20,000; thus, net zero affect
- Finance bank sweeping account with higher fees; the City earned more in interest but the amendment would account for increased fees not previously budgeted - \$6,000
- CDBG pass through expense account items were not accounted for in the FY19 budget - \$126,000

Mr. Naylor explained the following item was not included with the agenda packet:

- Building account was affected by the City's change in its contract for janitorial services in February; thus, affecting the annual costs which increased - \$26,000

DISCUSSION ON AMENDMENTS TO THE CITY'S CONSOLIDATED FEE SCHEDULE

Nancy Dean, City Recorder, reviewed the proposed amendments to the City's Consolidated Fee Schedule (CFS) for finance, police, and GRAMA fees. She indicated the fee increases for finance were to implement of the next three years of the new rates as recommended by a previous study.

Councilmember Peterson requested a change be made to the fees associated with the mobile food vendor license to denote the fees would only be charged when applicable. Ms. Dean stated the language could be adjusted.

She noted there were changes to the Government Records Access Management Act (GRAMA) fees as well as police fees for records. Ms. Dean pointed out the challenges associated with recent records requests and redaction efforts. She suggested the City would need to address how to redact video because currently it was requiring a lot of time and expertise to redact police video. She noted the GRAMA fees had been increased from \$14 to \$30 which would help account for the Recorder's time processing the records.

Kelly Bennett, Police Chief, explained the contracted services for police officers had last been adjusted four year ago so the increase was necessary to offset the increase in wages of the officers. He mentioned a new police registration fee of \$25 was added due to the requirement of the City to register individuals on the Child Abuse Registry which was similar to the Sex Offender registrations.

Spencer Brimley pointed out there were a few symbols that were unintentionally left in the document which would be removed from the final draft. He reviewed the proposed increases and changes to the CFS for changes to planning, code enforcement and licensing fees. He pointed out the paragraph added under the building permit and development fees section came as a result of the Syracuse City water tower project. Mr. Brimley indicated in order to be considerate to Syracuse City's request as well as other municipalities for public infrastructure projects and funding sources, staff drafted changes that could allow for a reduction in fees while not

eliminating them entirely. He added any costs to the City would still be assessed and billed appropriately.

Councilmember Bush asked what would determine whether or not fees would be added for massage therapists as mentioned in the staff report. Mr. Brimley answered the City had a temporary land use ordinance in place for massage parlors. He stated as part of the review period it would be evaluated as to whether or not fees should be applied for the application process because of its increased administration. He indicated there would be a future discussion about fees that were relative to the ordinance once it was finalized in the coming months.

Mr. Brimley pointed out there was not a change in the Vehicle Restoration Permit fees; however, staff wondered if it was something the City wanted to continue to offer. Chief Bennett indicated permits were allowed by City Code. There was a discussion about what the second permit was for either an extension of time or an additional permit. The Council requested the fees remain but the language be amended so it was clear the second vehicle restoration permit fee of \$50 was for an extension of time on the original permit not an additional permit.

Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in work session at 7:59 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 28th day of August, 2019**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, June 18, 2019.